

REMARKS

Reconsideration of the application is requested.

Claims 1-5, 7, 9-15, 17, and 18 are now in the application. Claims 1-5, 7, 9-15, 17, and 18 are subject to examination. Claims 1 and 11 have been amended. Claims 6, 8, and 16 have been canceled to facilitate prosecution of the instant application.

Under the heading "Title" on page 2 of the above-identified Office Action, the Examiner stated that the title is not descriptive.

The title has been changed to: "METHOD AND APPARATUS PROVIDING A REMOTE TERMINAL WITH STAND-ALONE CAPABILITY".

Under the heading "Claim Rejections – 35 USC § 102" on page 2 of the above-identified Office Action, claims 1-4, 6-14, and 16-18 have been rejected as being fully anticipated by U.S. Patent No. 5,355,362 to Gorshe et al. under 35 U.S.C. § 102. Applicants respectfully traverse with regard to claims 8 and 16, and 2 and 12.

Claims 1 and 11 have been amended. Support for the changes can be found by referring to original claims 6, 8, and 16. No new matter requiring further search or consideration has been presented.

Claim 1 now includes a step of providing at least one service that effects the stand alone capability, the service being an administration change notification service providing notification that administration changes have been made to Subscriber Data required by the remote for call connectivity. Claim 11 includes a similar limitation.

The Examiner has referred to column 1, lines 36-40 and 66-68 and to column 8, lines 29-32 to support the allegation that Gorshe et al. teach the step, of claim 1 copied above. Applicants respectfully disagree.

Column 8, lines 29-32 appears to merely mention that an optional remote switch unit 27 may be provided for emergency stand alone switching operation of a remote digital terminal. In that mode, that the common module 20 can provide telephone connections between subscribers subtending from that remote digital terminal.

Column 1, lines 36-40 and 66-68, appears to merely summarize the operation of a digital subscriber loop carrier system of a telecommunications network.

There appears to be no specific teaching relating to the operation of the remote switch unit 27 or to the operation of the common module 20 in an emergency stand alone switching operation. More specifically applicants believe there is no teaching of an administration change notification service that effects the stand alone capability of a remote as required by claims 1 and 11.

Additionally, applicants believe it is clear that the subscriber data referred to in Gorshe et al. refer to the payload originating from subscribers, i.e. the data traffic (voice data, fax transmission, internet access) caused by using the services. In contrast, claims 1 and 11 refer to administrative changes that have been made to Subscriber Data required by the remote for call connectivity (i.e. data that associates subscribers to lines and such).

Additionally, applicants believe it is clear that Gorshe et al. do not even teach the downloading and triggering steps defined in claims 1 and 11. The only teaching in Gorshe et al. relating to a stand-alone capability is the paragraph at lines 28-32 of column 8, which merely states that the remote digital terminal may optionally be provided to perform stand-alone switching.

With regard to claims 2 and 12, applicants believe it is clear that Gorshe et al. do not teach a method or an apparatus for providing a remote with stand-alone capability that includes: downloading, from the host to the remote, line data needed for connecting calls. Again, the only relevant teaching in Gorshe et al. relating to a stand-alone capability is the paragraph at lines 28-32 of column 8, which merely states that the remote digital terminal may optionally be provided to perform stand-alone switching.

Under the heading "Claim Rejections – 35 USC § 103" on page 5 of the above-identified Office Action, claims 5 and 15 have been rejected as being obvious

over U.S. Patent No. 5,355,362 to Gorshe et al. in view of U.S. Patent Application Publication No. 2002/0064267 to Martin et al. under 35 U.S.C. § 103.

Even if it were obvious to combine the teachings and even if Martin et al. does teach the features as the Examiner has alleged, the claimed invention would not have been obtained for the reasons specified above in regard to claims 1 and 11.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 11. Claims 1 and 11 are therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1 or 11.

In view of the foregoing, reconsideration and allowance of claims 1-5, 7, 9-15, 17, and 18 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

Appl. No. 10/809,622
Amdt. Dated November 27, 2007
Reply to Office Action of August 27, 2007

Respectfully submitted,

/Laurence A. Greenberg/
Laurence A. Greenberg
(Reg. No. 29,308)

MPW:cgm

November 27, 2007

Lerner Greenberg Sterner LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100
Fax: (954) 925-1101